



ఆంధ్రప్రదేశ్ రాజపత్రము
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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**DIRECTOR GENERAL OF PRISONS AND CORRECTIONAL SERVICES,
ANDHRA PRADESH, VIJAYAWADA.**

No. Estt-5/251/2017.

Dated: 16-03-2020.

Sri T. YEDUKONDALU, THE THEN DEPUTY JAILOR, CENTRAL PRISON, RAJAMAHENDRAVARAM, PRESENTLY WORKING IN CENTRAL PRISON, NELLORE - EXHIBITED GROSS INDISCIPLINE, MISCONDUCT AND LACK OF INTEGRITY BY SUPPRESSING THE FACT OF NOT PASSING THE A/Cs. TEST FOR S.O PART-I AND MANAGED TO GET HIS PROBATION DECLARED BY MISLEADING THE CONCERNED OFFICIALS - DEPARTMENTAL PROCEEDINGS UNDER RULE 20 OF ANDHRA PRADESH CIVIL SERVICES (CC&A) RULES, 1991 - ARTICLES OF CHARGE FRAMED - INQUIRY CONDUCTED - FINAL ORDERS - ISSUED.

- Ref : 1) Anonymous Petition Dated: NIL, in the name of Ministerial staff, Rajamahendravaram, received in this office on 04-10-2017
- 2) This office Memo. No. Estt-3/581/2017, Dated: 04-10-2017
- 3) Lr. No. DIG/CAR/OS/2205/2017, Dated: 25-10-2017 of the DIG of Prisons, CAR, Rajamahendravaram.
- 4) Lr. No. DIG/CAR/OS 1/2828/2017, Dated: 23-11-2017 of the DIG of Prisons, CAR, Rajamahendravaram
- 5) This office Proc. No. Estt-5/251/2017, Dated: 29-03-2018.
- 6) This office Charge Memo. No. Estt-5/251/2017-1, Dated :29-03- 2018.
- 7) Explanation dated Nil of Sri T. Yedukondalu, Deputy Jailor, received thro' Lr. No. DSJO/NLR/377/2018, Dated: 19-04-2018 of the District Sub Jails Officer, Nellore.

- 8) Report Dated: 07-12-2018 of the Legal Advisor of this office.
- 9) This office Proc. No. Estt-5/251/2017-1&2, Dated: 21-03-2019.
- 10) Lr. No. CPN/OS(E)/2860/2019, Dated: 15-05-2019 of the Superintendent-cum-Inquiry Officer, Central Prison, Nellore.
- 11) This office Memo No. Estt-5/251/2017, Dated: 03-07-2019.
- 12) Further representation Dated: 07-08-2019 of Sri T. Yedukondalu, Deputy Jailor, received thro' Lr. No. CPN/SA/E/4418/2019, Dated: 07-08-2019, of the Superintendent, Central Prison, Nellore.

ORDER :

Whereas, in the reference 1st cited, an anonymous petition reportedly written by the Ministerial staff, Rajamahendravaram was received in this office on 04-10-2017, wherein it was alleged that, Sri T. Yedukondalu, the then Deputy Jailor, Central Prison, Rajamahendravaram did not pass the Accounts Test for Subordinate Officers Part-I, but his probation period was declared erroneously, and his second and subsequent annual grade increments from 2012 onwards were also released erroneously. Enquiries revealed that the contents of the said petition are true.

2. And whereas, in the reference 2nd cited, the DIG of Prisons, CAR, Rajamahendravaram was requested to conduct a discreet inquiry into the allegations and submit a report. The DIG of Prisons (CAR), Rajamahendravaram has inquired into the above said allegations and submitted report vide reference 3rd cited, wherein he has stated that, on thorough verification of application Dated: 19-10-2016 along with Service Register of Sri T. Yedukondalu, the then Deputy Jailor, Central Prison, Rajamahendravaram, requesting for appointment to Spl. Grade Post Scale in the category of Deputy Jailor, it was found that Sri T. Yedukondalu did not pass the Accounts Test for S.O Part-I and his probation was declared erroneously to have been satisfactorily completed. He further stated that, he found fault with the (4) other officers of Central Prison, Rajamahendravaram and Officers of O/o. DIG of Prisons (CAR), Rajamahendravaram, who have failed to take all possible steps to notice and rectifying the erroneous declaration of probation of the said Deputy Jailor.

3. The DIG of Prisons (CAR), Rajamahendravaram in the reference 4th cited has further requested the undersigned, for cancellation of probation of the said Deputy Jailor and necessary orders for recovery of his second and subsequent increment arrears wrongly drawn by the individual from 2012 onwards.

4. Whereas, in the reference 5th cited, the probation of Sri T. Yedukondalu, Deputy Jailor was cancelled for all purposes as per Rule-17 of A.P. State and Subordinate Service Rules, 1996 for his unsatisfactory conduct and he was treated as a PROBATIONER (Temporary) in the category of Deputy Jailor, pending finalization of disciplinary action against him. Moreover, it was also ordered to recover his second and subsequent increments along with usual allowances thereon received erroneously from the year 2012 onwards, duly re-fixing his pay from 2011 onwards.

5. And whereas, based on the preliminary inquiry report of the DIG of Prisons (CAR), Rajamahendravaram, the Director General of Prisons and Correctional Services, Andhra Pradesh, Vijayawada has contemplated to initiate disciplinary proceedings against Sri T. Yedukondalu, the then Deputy Jailor, Central Prison, Rajamahendravaram, who has suppressed the fact of not passing the A/Cs. Test for S.O Part-I, and managed to get his probation declared erroneously by misleading the officials and also submitted an application for his appointment to Special Grade Post Scale in the category of Deputy Jailor, though he was not eligible. Hence as required under sub rule-3 of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991, the following Articles of charge were framed against Sri T. Yedukondalu, the then Deputy Jailor, Central Prison, Rajamahendravaram, vide reference 6th cited.

ARTICLE OF CHARGE-I:

“That the said Sri T. Yedukondalu, Deputy Jailor, Sub Jail, Kavali, while discharging his duties as Deputy Jailor in Central Prison, Rajamahendravaram during the year 2013, has exhibited gross indiscipline, misconduct and lack of integrity by suppressing the fact of not passing the A/Cs. Test for S.O Part-I and managed to get his probation declared by misleading the concerned officials and thereby violated the Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

ARTICLE OF CHARGE-II:

“That the said Sri T. Yedukondalu, Deputy Jailor, Sub Jail, Kavali, while discharging his duties as Deputy Jailor in Central Prison, Rajamahendravaram in the year 2013, has exhibited gross indiscipline and misconduct by drawing his Annual Grade Increments erroneously from 2012 onwards against the Rules and thereby deceived the Government, in violation of Rule -3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

ARTICLE OF CHARGE-III:

“That the said Sri T. Yedukondalu, Deputy Jailor, Sub Jail, Kavali, while discharging his duties as Deputy Jailor in Central Prison, Rajamahendravaram in the year 2013, has exhibited gross indiscipline, misconduct and misbehaviour by submitting an application for appointment to Special Grade Post Scale without eligibility and thereby violated Rule -3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

6. And whereas, as required under sub rule-4 of Rule 20 of APCS (CC&A) Rules, 1991 Sri T. Yedukondalu, the then Deputy Jailor, Central Prison, Rajamahendravaram was also furnished with copy of the articles of charge-I, II & III, the statement of the imputations of misconduct or misbehaviour, list of documents, list of witnesses by which each article of charge is proposed to be sustained, copies of the said documents and statements of the said witnesses, and further directed to submit his written statement of defense within (10) days from the date of receipt of Charge Memo and also to state whether he desires to be heard in person.

7. Whereas, without preferring for personal hearing, Sri T. Yedukondalu, Deputy Jailor has submitted his written statement of defense in the reference 7th cited, denying the above said Articles of Charge, explaining his personal difficulties and put forth certain irrelevant explanation, but not furnished a proper reply as called for to the Articles of Charge and imputations of his gross negligence, indiscipline, misconduct and lack of integrity. Hence, his written statement was found not satisfactory by the Director General of Prisons and Correctional Services, Andhra Pradesh, Vijayawada.

8. Whereas, it was proposed to hold an inquiry against Sri T. Yedukondalu, Deputy Jailor, as required under Rule 20 (2) of APCS (CC&A) Rules, 1991. In order to conduct a regular inquiry into the Articles of Charge framed against the said Charged Officer, Sri M.R. Ravi Kiran, Superintendent, Central Prison, Nellore was appointed as Enquiry Officer and Sri K. Raghu, Superintendent, District Jail, Vijayawada was appointed as Presenting Officer, under sub rule-5 (b) & (c) of Rule 20 of APCS (CC&A), Rules 1991, in the reference 9th cited.

9. Whereas, the Enquiry Officer has conducted a detailed inquiry and submitted his report in the reference 10th cited, wherein he held that the Articles of Charge-I & III framed against Sri T. Yedukondalu, Deputy Jailor are Proved and the Article of Charge-II was not proved. Accepting the report of the Inquiry Officer, the same was communicated to the said Charged Officer as required under rule 21 (2) of APCS (CC&A) Rules, 1991, thro' the reference 11th cited, with a direction to submit his further representation, if any. Subsequently in the reference 12th cited the Charged Officer has submitted his further representation blaming the officers of Central Prison, Rajamahendravaram and officers' O/o. DIG of Prisons (CAR), Rajamahendravaram for declaration of his probation erroneously.

10. And whereas, the entire case file is examined carefully together with the inquiry report and available records and it was found that, Sri T. Yedukondalu was appointed as Deputy Jailor through Direct Recruitment on 01-07-2010 vide this office Proc. No. EA2/963/2007-VOL-II. Dated 25-06-2010 and Proc. No. DIG/CAR/SA1/1213/2010. Dated: 26-06-2010 of the DIG of Prisons, Coastal Andhra Range, Rajamahendravaram. As per the instructions issued in the above said orders and under Rule 8 and 10 of A.P. Jail Subordinate Service rules issued in G.O Ms. No.514, Home (Prisons-A) Dept. Dated 23-11-1993, every directly recruited Deputy Jailor has to pass the Jail Departmental Tests Paper-I, II, III & IV and Accounts Test for subordinate Officers Part-I, during the period of probation of (2) years in a continuous service of (3) years from the date of appointment. As per the said rules, the said Deputy Jailor should have passed the requisite tests in his period of probation, i.e. on or before 30-06-2012. However, he passed the Jail Department Tests Paper-I, II, III & IV within (2) years of his probation, and he did not pass the Accounts Test for S.O Part-I, within the period of probation of (2) years. Being a Government employee, he is expected to be aware of conditions/rules laid down and also informed to him with regard to declaration of probation.

11. Whereas, as per Rule-17(b) A.P State and Subordinate Service Rules, 1996, in case the probationer fails to pass the tests, the appointing authority may extend his probation by one year to enable him to pass the tests. However, the said Deputy Jailor has neither passed all the tests nor submitted any application to the competent authority for extension of time for passing the test required, after completion of (2) years' service by 30-06-2012.

12. While the matter stood at this stage, the DIG of Prisons, Coastal Andhra Range, Rajamahendravaram vide Memo. No. DIG/SA1/1627/2013. Dated 19-07-2013 has called for the particulars of directly recruited Deputy Jailors of 2010 batch from all the unit offices in Coastal Andhra Range, for regularizing their services and for declaration of probation. Consequently, Sri T. Yedukondalu, Deputy Jailor has submitted a representation Dated: 29-07-2013 to the Superintendent, Central Prison, Rajamahendravaram, stating that, he has completed (2) years of service successfully and hence requested to regularize his service and declare his probation period in the category of Deputy Jailor. Accordingly, the Superintendent, Central Prison, Rajamahendravaram has submitted the particulars and representations of (4) other Deputy Jailors of Central Prison, Rajamahendravaram along with the above said individual to the DIG of Prisons (CAR), Rajamahendravaram vide Lr. No. CPR/Rjy/OS (E)/9081 /2013, Dated: 12-08-2013, for taking further action as per rules.

13. Whereas, based on the information and particulars furnished by the Unit officers concerned, the DIG of Prisons, CAR, Rajamahendravaram vide Proc. No. DIG/CAR/SA1 /1901/2013. Dated 04-09-2013 has issued orders regularizing the services of (42) Deputy Jailors along with Sri T. Yedukondalu and to have satisfactorily completed his period of probation satisfactorily in the category of Deputy Jailors w.e.f. 04-07-2012.

14. And whereas, Sri T. Yedukondalu, Deputy Jailor, being a responsible and disciplined executive officer, he should have brought it to the notice of higher authorities about erroneous declaration of his probation by the authorities concerned and he should have proved his honesty by informing the fact of not passing the A/Cs. Test for S.O Part-I. However, he utterly failed to do so and kept quiet intentionally by suppressing the fact, with an ulterior motive and malafid intension to have wrongful gain, and misleading the higher authorities, which amounts to deceiving the Government.

15. And whereas, Sri T. Yedukondalu, Deputy Jailor has admitted earlier in his written statement of defense that, as per the existing Jail Subordinate Service Rules, every directly recruited Deputy Jailor has to pass Jail Dept. Tests I, II, III and IV and A/Cs. Test for S.O Part-I during the period of probation. However, he stated that he could not recognize the condition of passing A/Cs test for S.O Part-I, which is mandatory for declaration of probation mentioned in the Appointment Order, due to busy of work. **He also agreed that, it was his bounden duty to inform the higher authorities about the wrong thing that had been happened with regard to declaration of his probation.**

16. And whereas, knowing very well of the fact that, he did not pass the Accounts Test for S.O Part-I and his probation was wrongly declared, he has committed another blunder by submitting another application dated 19-10-2016 intentionally thro⁷ Lr. No. CFR/OS(E)/E1/14743/2016. Dated 22-12-2016 of the Superintendent, Central Prison, Rajamahendravaram to the Range Office, Rajamahendravaram, for his appointment to Special Grade Post Scale in the category of Deputy Jailor on completion of (6) years of service. Thus he misled the higher authorities and suppressed the fact that he got his probation declared erroneously with an ulterior motive to get wrongful gain. Thereby he exhibited misconduct, which amounts to fraud and deceiving the Government.

17. And whereas, on close study of the case, it was also revealed that, Sri T. Yedukondalu, the then Deputy Jailor, Central Prison, Rajamahendravaram, presently working in Central Prison, Nellore is well aware of the facts that, i) he did not pass the Accounts Test for S.O Part-I, ii) submitted false application dated 29-07-2013 for declaration of probation to have wrongful gain of the annual grade increments, iii) his probation was declared erroneously, iv) submitted another false application Dated :19-10-2016 for appointment to Spl. Grade Post Scale in the category of Deputy Jailor on completion of (6) years of service, and submitted false applications with an ulterior motive, to have wrongful gain in a fraudulent manner.

18. And whereas, as required under Rule 16 (f) of A.P. State and Subordinate Service Rules, 1996, if a probationer fails to pass any of the tests or examinations, for which he has so appeared, the appointing authority shall, by an order, discharge him from service. Any delay in the issue of the order discharging the probationer under this rule shall not entitle him to be deemed to have satisfactorily completed his probation. Whereas, Sri T. Yedukondalu, the then Deputy Jailor, Central Prison, Rajamahendravaram did not pass the A/Cs. Test for S.O Part-I during his period of probation, which is mandatory under Rule 16(e) of A.P. State and Subordinate Service Rules, 1996, r/w. this office Proc. No. EA2/963/2007-VOL-II. Dated 25-06-2010 and Range Office Proc. No. DIG/CAR/SA/1213/2010. Dated 26-06-2010. However, his probation was declared erroneously vide Proc.No.DIG/CAR/SA1/1901/2013. Dated: 04-09-2013 of the DIG of Prisons, Coastal Andhra Range, Rajamahendravaram. Since he did not pass the A/Cs. Test for S.O Part-I, his probation was cancelled vide this office Proc. No. Estt-5/251/2017, Dated: 29-03- 2018, and thus he is treated as Probationer.

19. In view of the above facts, circumstances and having regard to findings in the inquiry report on the articles of charge and on the basis of the evidence adduced during the inquiry, the undersigned has opined that, Sri T. Yedukondalu, the then Deputy Jailor, Central Prison, Rajamahendravaram, presently working in Central Prison, Nellore shall not be continued in the service in the public interest, for not passing the A/Cs. Test for S.O part-I during his period of probation and he suppressed the fact of not passing the said test and thereby deceived the Government, and mislead the higher authorities with an ulterior motive to have wrongful gain in a fraudulent manner.

20. Hence, Sri T. Yedukondalu, the then Deputy Jailor, Central Prison, Rajamahendravaram presently working in Central Prison, Nellore is imposed with a penalty of **“Removal from service with immediate effect”**, under Clause (ix) of Rule-9 of APCS (CC&A) Rules, 1991, for not passing the A/Cs. Test for S.O Part-I during his period of probation as required under Rule 16(f) of A.P. State and Subordinate Service Rules, 1996, and for his gross misconduct, indiscipline and lack of integrity, in violation of Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

21. Sri T. Yedukondalu, Deputy Jailor, Central Prison, Nellore is further informed that, if he so desires, he may prefer an appeal against these orders to the competent authority within (3) months from the date of receipt of his order.

22. Necessary entries shall be made in the Service Register of the individual under proper attestation.
23. Receipt of this order shall be acknowledged immediately.

MOHD. AHSAN REZA,

Director General of Prisons and Correctional Services.

To

Sri T. Yedukondalu, Deputy Jailor, Central Prison, Nellore through the Superintendent, Central Prison, Nellore.

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